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RCE / 2800 \$

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/869,139
Filing Date	April 28, 2001
First Named Inventor	Yoshiyuki NAGAI et al
Group Art Unit	2815
Examiner Name	M. Landau
Attorney Docket Number	00862.022205

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other: _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Other: Applicants petition the Examiner to extend the time for response to the Final Office Action dated July 2, 2003, one month from October 2, 2003, up to and including November 2, 2003, and submit \$110.00.

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205
- 10/23/2003 AWDHDAF1 00000176 09839139
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 01 FC:1801 770.00 JP
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 02 FC:1201 608.00 JP
- iii. ☐ Other 03 FC:1202 144.00 JP
- b. ☒ Checks in the amounts of \$1,602.00 and \$110.00 are enclosed to cover (1) the RCE filing and additional claims fees and (2) the extension of time fee, respectively.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Steven E. Warner	Registration No. (Attorney/Agent)	33,326
Signature	<i>Steven E. Warner</i>	Date	October 21, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any
claims on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Director of the U.S. P.T.O., P.O. Box
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following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.